

House Panel Will Subpoena Tape Of Pre-Watergate Meet

F Post 5/11/74

WASHINGTON (AP) — The House Judiciary Committee plans to subpoena the tape of a pre-Watergate White House meeting to see if President Nixon had advance knowledge of the plan to bug Democratic headquarters.

The tape of the April 4, 1972, meeting, which the White House has refused to deliver, is needed to plug a gap in the evidence relating to that question, one of the allegations under investigation in the committee's impeachment inquiry.

The meeting between Nixon, his former chief of staff, H.R. Haldeman, and former Atty. Gen. John Mitchell took place four days after Nixon's re-election campaign aides had approved a plan for electronic surveillance of the Democrats.

The President has stated repeatedly that he first learned of the involvement of his aides in the Watergate break-in nearly a year later, on March 21, 1973.

The missing link in the chain of evidence being presented to the committee was pointed out Thursday by chief counsel John Doar, who said he would request a subpoena at the committee's next business session.

The tape is one of 76 dealing

★★★

with Watergate that the committee requested last April 19. Earlier this week, the White House said no more Watergate material would be surrendered.

Instead of issuing a blanket subpoena for all 76 tapes, the committee plans to see how the missing material affects the case as it is being presented and then subpoena the tapes it feels are vitally needed.

The announced refusal of the White House to deliver any more Watergate material could lead to a constitutional confrontation if a subpoena is issued. But the committee's present intention is to take any unanswered subpoenas into consideration when it votes on articles of impeachment, rather than seek to enforce them.

The April 4 tape assumes importance because of the testimony of Jeb Stuart Magruder, former deputy director of Nixon's re-election campaign committee, who has pleaded guilty to a charge of obstructing justice.

Magruder said the plan to bug Nixon's political opponents and the Democratic national headquarters was approved March 30, 1972, and that Haldeman's chief aide, Gordon Stra-

★★★

chan, was so informed in a memorandum.

Strachan, who is awaiting trial on charges of conspiracy and obstruction of justice, has testified he mentioned the plan in a paper prepared for Haldeman to use in a meeting with Mitchell just before both men went in to see Nixon. Nixon

met alone with Haldeman a bit later.

Haldeman testified that the political campaign was discussed at the meeting but that his notes show no mention of the bugging plan.

Under the committee's procedure for presenting evidence the members are not permitted

to question or interrupt Doar or other staff lawyers, so there was no discussion of his request for a subpoena Thursday. However, checks with members since then indicate there will be little opposition to the request.

The committee resumes hearing evidence Tuesday.